

## REMARKS

Entry of the foregoing amendments, reconsideration and re-examination of the subject application, pursuant to and consistent with 37 C.F.R. §1.112, and in light of the remarks which follow are respectfully requested.

By the present amendments, claim 9 has been amended to positively set forth the method steps.

Turning now to the Office Action, claims 6-8, 13 stand rejected on the basis that they are improperly multiple dependent claims. This rejection is believed to be erroneous. It would appear that the Examiner failed to note the Preliminary Amendment filed on June 22, 2001 which eliminated the multiple dependencies for the convenience of the Examiner, a copy of this Preliminary Amendment is attached hereto.

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Claims 1-8 are asserted to be indefinite. This rejection is traversed Claim 1 is alleged to be unclear in the recitation "polarization analyzes element or analyzer". However, this rejection is respectfully traversed as this would be clearly understood by one of ordinary skill to be a device that analyzes polarized light.

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In fact, a document cited in the application, EP B 0475 803 discloses an apparatus containing a polarization analyzer which makes it possible to measure reflection either with the direction of the polarizer oriented in parallel or at right angles. Thus, one skilled in the art, at the time this application was filed, would clearly understand what is intended by a "polarization analyzer element" within the context of the invention.

Claim 5 is asserted to be unclear as to "substantially the same as the solar spectrum". However, this would be clearly understood to refer to a light source that has substantially the same wave light distribution as sun light.

Claims 1-5 and 9-12 are asserted to be anticipated by Shiratori et al. This rejection is respectfully traversed.

The Examiner alleges that ASahi describes an analyser for examining a surface comprising a source of polarised light, a polarisation filter, means for taking digital images and a



processing unit capable of calculating the brightness and intensity of a plurality of points on the surface from pixels in the digital images.

However, the document ASAHI describes neither a polarisation analyser placed in the path of a light beam reflected by the surface, nor a means for taking digital images placed in the path of the beam reflected by the surface downstream of the polarisation analyser, nor a processing unit for calculating the brightness and the intensity of points of the surface from pixels of at least two images of the surface.

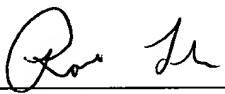
Consequently, at least three features of claim 1 are not anticipated nor rendered obvious by the document ASAHI. Therefore, the rejection of claims 1-5 and 9-12 based on ASAHI should be withdrawn.

Also, while all the claims are believed to be patentable, new claims 15-23 are presented, which emphasize the above-identified novel and non-obvious features of the invention.

Based on the foregoing, allowance of this application is believed to be in order.

Respectfully submitted,

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Attachment:  
Appendix



**APPENDIX**

9. (Amended) A Process-process for the remote examination of a surface, ~~incomprising~~ (i) analysing ~~which~~ the polarization of a light beam reflected by the said surface is analysed, ~~;~~ (ii) taking digital images of particular polarizations of the said reflected beam ~~are taken,~~ ~~;~~ and calculating the brightness and the intensity of a plurality of points of the said surface ~~are calculated~~ from pixels of at least two images of the said surface.